

The Honorable James Robart
Noted for: August 23, 2013

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DWIGHT HOLLAND

Plaintiff,

vs.

KING COUNTY ADULT DETENTION, KING
COUNTY et al., KING COUNTY DISTRICT
COURT EAST DIVISION – REDMOND
COURTHOUSE, et al., WASHINGTON STATE
DEPARTMENT OF LICENSING et al.,
WASHINGTON STATE PATROL et al.,
OFFICER WSP ANTHONY BROCK in his
individual and official capacity as Washington
State Patrol Officer, LAKEYSHA NICOLE
WASHINGTON in her individual and official
capacity as Prosecuting Attorney, KING COUNTY
PROSECUTING ATTORNEY’S OFFICE, et al.,
GRAY WESTSIDE TOWING LLC,

Defendant(s).

No. 12-cv-0791 JLR

DECLARATION OF SAMANTHA
KANNER IN SUPPORT OF
DEFENDANTS’ MOTION FOR
SUMMARY JUDGMENT

I, Samantha Kanner, declare and state:

1. I am the attorney for Defendants King County Adult Detention, King County, King
County District Court East Division, Lakeysha Nicole Washington and the King

DECLARATION OF SAMANTHA KANNER IN SUPPORT
OF DEFENDANTS’ MOTION FOR SUMMARY JUDGMENT

1 County Prosecuting Attorney's Office in this matter. I am over the age of 18 and am
2 competent to testify. I have personal knowledge of the matters set forth herein.

3 2. Pursuant to the Minute Order setting the trial date in this case (ECF Docket No. 23),
4 the deadline for disclosure of expert testimony under FRCP 26(a)(2) was July 25,
5 2013. As of this writing, I have received no disclosures of expert testimony from
6 plaintiff.

7 3. A true and correct copy of a King County Correctional Facility internal record of
8 plaintiff's booking and release related to this incident is attached hereto as Exhibit 1.
9 Plaintiff's date of birth has been redacted pursuant to court rule.

10 4. A true and correct copy of the King County District Court docket from plaintiff's
11 initial incarceration is attached hereto as Exhibit 2. Plaintiff's date of birth has been
12 redacted pursuant to court rule.

13 5. A true and correct copy of the criminal complaint filed against plaintiff on December
14 27, 2011 is attached hereto as Exhibit 3. Plaintiff's date of birth has been redacted
15 pursuant to court rule.

16 6. A true and correct copy of the King County District Court docket from plaintiff's
17 criminal case is attached hereto as Exhibit 4. Plaintiff's date of birth has been
18 redacted pursuant to court rule.

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DECLARATION OF SAMANTHA KANNER IN SUPPORT
OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

- 2

Daniel T. Satterberg, Prosecuting Attorney
CIVIL DIVISION, Litigation Section
900 King County Administration Building
500 Fourth Avenue
Seattle, Washington 98104
(206) 296-8820 Fax (206) 296-8819

1 7. A true and correct copy of the January 9, 2012 order finding probable cause in
2 plaintiff's criminal case is attached hereto as Exhibit 5.

3 I declare under penalty of perjury under the laws of the state of Washington that the foregoing is
4 true and correct.

5 Signed this 1 day of August, 2013 at Seattle, Washington.

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8 SAMANTHA D. KANNER

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DECLARATION OF SAMANTHA KANNER IN SUPPORT
OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

- 3

Daniel T. Satterberg, Prosecuting Attorney
CIVIL DIVISION, Litigation Section
900 King County Administration Building
500 Fourth Avenue
Seattle, Washington 98104
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Exhibit 1

Declaration of Kanner



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Justice Information Look-up Service (JILS) Law Enforcement

[Browse Jail Register](#)
[Search Jail Booking System](#)

HOLLAND, DWIGHT M

King County

Physical Characteristics show hide

DOB: [REDACTED]
Race: Black
Gender: M
Height: 510
Weight: 225
Eye Color: BRO

All Associated Aliases show hide

1. HOLLAND, DWIGHT MICHAEL

Agency IDs show hide

CCN: 1897785
AFIS: 437393
FBI:
SID: WA15954664

Location Detail show hide

No location data available at this time.

Addresses show hide

Associated Vehicles show hide

Booking Events show hide

King County Jail Custody: OUT, Total Bail \$ 0.00

BA: 211028790
Book Unit: King County Correctional Facility - Seattle
Book Date: 09/16/2011 02:58
Release Date: 09/16/2011 13:07
Release Reason: Bond

Get Mug Shot ☐ Booking Detail show hide

Arresting Agency: WASH STATE PATROL(SEATTLE)
Transport Agency: WASH STATE PATROL(SEATTLE)
AFIS Status: V
Arrest Date: 09/16/2011 01:40
Process Control Number: 214549107

Charges For This Booking show hide

Pending Events

[show](#) [hide](#)

Charge Number:	1
Charge:	D.W.I.
RCW / ORD:	46.61.502
Bail:	\$500.00
Charge Status:	Charged awaiting trial
Type Of Warrant:	Misdemeanor (direct)
Charge Rel Reason:	Bond
Charge Rel Date:	09/16/2011
Charge Date:	09/16/2011
Originating Agency:	WASH STATE PATROL (SEATTLE)
Case No:	
Court:	NORTH EAST
Cause No:	1Z0501814
Sentence Date:	
Days Served:	0
Max Days:	0
Min Days:	0
Uniform Crime Code:	21

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Exhibit 2

Declaration of Kanner

DD7020SX JGW
07/31/2013 2:44 PMKING COUNTY DISTRICT COURT
D O C K E T

PAGE: 1

DEFENDANT

HOLLAND, DWIGHT MICHAEL
325 WASHINGTON AVE SO STE 332
KENT WA 98032CASE: 1Z0501814 KNJ
Probable Cause
Agency No.

Home Phone: 2062909460

AKA No aliases on file.

CHARGES

Violation Date: 09/16/2011	DV Plea	Finding
1 PCDWI	PC DRIVING WHILE INTOXICA N	Dismissed

TEXT

S 09/21/2011 Case Filed on 09/21/2011 KKK
 U CASE NOT FILED - ENTERED FOR PURPOSE OF BAIL/BOND ONLY
 S 09/22/2011 DEF 1 HOLLAND, DWIGHT MICHAEL Added as Participant
 Charge 1 Dismissed : Chrg Not Fld Pnd
 Case Heard Before Judge PRESIDING JUDGE
 BON 1 ALL CITY BAIL BOND Added as Participant
 11265104140 Appearance Bond Posted for DEF 1 500.00
 Posted by: ALL CITY BAIL BOND
 Appearance Bond SO501749308 Exonerated 500.00
 U EXONERATION LETTER MAILED TO BONDING CO
 S Case Disposition of CL Entered
 U CASE NOT FILED YET
 S 09/27/2011 PCN added to case JJS
 U 10/07/2011 DEFENDANT PHONED; INFORMED CASE NOT YET FILED WITH KCDC AND ALT
 NO HEARING SCHEDULED AT THIS TIME. DEFENDANT'S ADDRESS
 UPDATED.

ADDITIONAL CASE DATA

Case Disposition
 Disposition: Closed Date: 09/22/2011

Parties

Bondsman ALL CITY BAIL BOND

Personal Description

Sex: M Race: B DOB: [REDACTED]
 Dr.Lic.No.: [REDACTED] State: WA Expires: 2014
 Employer: FEDERAL EXP
 Height: 5 10 Weight: 222 Eyes: BRO Hair: BLK

End of docket report for this case

CERTIFICATION - State of Washington, County of King.
 The undersigned duly authorized clerk of King County District
 Court, Washington, hereby Certifies that the document on
 which this stamp is imprinted is a true and correct copy of
 the original filed in the court

SIGNED

*Johanna Woods*7/31/13

Court Clerk

Exhibit 3

Declaration of Kanner

Exhibit 4

Declaration of Kanner

DD7020SX JGW
07/31/2013 2:44 PM

KING COUNTY DISTRICT COURT
D O C K E T

PAGE: 1

DEFENDANT

HOLLAND, DWIGHT MICHAEL
325 WASHINGTON AVE SO STE 332
KENT WA 98032

CASE: 1Z0501814 WSP
Criminal Traffic
Agency No. RED

Home Phone: 2062909460

AKA No aliases on file.

OFFICER

00716 WSP BROCK, ANTHONY

CHARGES

Violation Date: 09/16/2011
1 46.61.502 DUI

DV Plea Finding
N Not Guilty Dismissed

TEXT

S 12/27/2011 Case Filed on 12/27/2011 CAD
DEF 1 HOLLAND, DWIGHT MICHAEL Added as Participant
OFF 1 BROCK, ANTHONY Added as Participant
ARR Set for 01/09/2012 08:45 AM
in Room RE2 with Judge FVL
U FILED THROUGH INVESTIGATION AT REDMOND COURT
CITATION AND SUBPOENA REQUEST FOR TRIAL FILED
S 12/28/2011 Notice Issued for ARR on 01/09/2012 08:45 AM MYM
U 12/30/2011 DEFENDANT CALLS TO CONFIRM DATE TIME AND LOCATION OF ASV
UPCOMING HEARING.
S 01/09/2012 ARR: Not Held, Wt/FTA Ordered KLK
U RE2 12:07 ALD ALD
JUDGE FRANK V LASALATA
DPA JACOB BROWN PRESENT
DEFENDANT NOT PRESENT
COURT FINDS PROBABLE CAUSE
COURT NOTES FTA AND ORDERS \$5,000 CASH / BOND WARRANT PENDING
ADDRESS CERTIFICATION BY THE STATE
01/10/2012 ENTRY OF PLEA FILED BY DEFENDANT CAD
PAPERWORK REFERRED TO JUDGE LASALATA
DEF CALLS, HAS QUESTIONS REGARDING CASE STATUS, TRANSFERRED PMH
CALL TO KCDC REDMOND DIVISION FOR FURTHER INQUIRY AND
ASSISTANCE.
01/11/2012 DATA BASE SEARCH FILED REQUESTING ARR RE-SET AND NOTICE CAD
MAILED TO NEW ADDRESS
PER JUDGE LASALATA, ARR RE-SET PER STATE REQUEST
S ARR Set for 01/23/2012 08:45 AM
in Room RE4 with Judge DKT
01/12/2012 Notice Issued for ARR on 01/23/2012 08:45 AM MAC
U DEFENDANT PHONED; GIVEN HEARING DATE, TIME, AND LOCATION. ALT
DEFENDANT'S ADDRESS UPDATED.
01/20/2012 DOCUMENTATION FILED AT NMRJC NJT
ENTRY OF PLEA
DEFENDANT'S MOTION TO QUASH SUMMONS
DECLARATION OF EXECUTORSHIP
DOCUMENTS E COPIED TO THE REDMOND COURTHOUSE AS ARRAIGNMENT
IS ON 1/23/12

Docket continued on next page

CERTIFICATION - State of Washington, County of King.
The undersigned duly authorized clerk of King County District
Court, Washington, hereby Certifies that the document on
which this stamp is imprinted is a true and correct copy of
the original filed in the court.

SIGNED

John A. Woods

7/31/13

Court Clerk

DD7020SX JGW
07/31/2013 2:44 PMKING COUNTY DISTRICT COURT
D O C K E T

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DEFENDANT
HOLLAND, DWIGHT MICHAELCASE: 1Z0501814 WSP
Criminal Traffic
Agency No. RED

TEXT - Continued

S 01/23/2012 ARR: Not Held, Wt/FTA Ordered LRH
U RE4 10:52 BEGIN / LRH
JUDGE DONNA K. TUCKER PRESIDING
DPA STEPHAN THOMAS PRESENT FOR THE STATE
DEFENDANT NOT PRESENT
COURT RULING - PREVIOUS PC, ISSUE WARRANT \$5,000 CASH
OR BOND

S 01/27/2012 BENCH Warrant Ordered
Print on or after 01/27/2012
Warrant expires on 01/27/2015

01/30/2012 BENCH Warrant Issued for SYS
Fail To Appear For Hearing
Bail: 5,000.00 + 0.00 Warrant Fee; Total Bail 5,000.00

U 02/01/2012 DEFENDANT'S MOTION TO VACATE FAILURE TO APPEAR, REQUEST OF CER
DATE FOR ORAL ARGUMENT AND PROPOSED ORDER TO QUASH WARRANT
FILED AT MRJC, SCANNED TO REDMOND WORKFLOW WITH EMAIL
TO ADVISE.

02/02/2012 DEFENDANT'S MOTION TO VACATE REFERRED TO JUDGE TUCKER FOR KXL
REVIEW

02/14/2012 PER JUDGE TUCKER - SET FOR BENCH WARRANT CALENDAR, MOTION TO
QUASH BENCH WARRANT IS DENIED

S MOT BW Set for 02/27/2012 03:00 PM
in Room RE1 with Judge JEG

U DEF'S ADDRESS UPDATED FROM MOTION TO QUASH BENCH WARRANT
NOTICE MAILED TO DEF

S 02/24/2012 MOT BW Rescheduled to 02/28/2012 03:00 PM JJS
in Room RE3 with Judge LKJ

U RESCHEDULED TO CORRECT CALENDAR (NO BENCH WARRANT CALENDAR
ON 2/27)
ATTEMPTED CALL TO DEFENDANT TO NOTIFY OF DATE CHANGE - NO
RESPONSE ON NUMBER LISTED ON PER SCREEN, UNABLE TO LEAVE
MESSAGE
THIRD PARTY AT FRONT COUNTER FILES-PROPOSE ORDER TO DISMISS JEM
AND VACATE ANY AND OR ORDERS-ANSWER TO COMPLAINT AND MOTION
TO DISMISS AND VACATE ANY AND OR ORDER-ALL PREPPED FOR
SCANNING TO REDMOND COURTHOUSE

S 02/28/2012 MOT BW: Not Held, Wt/FTA Ordered SDF
U RE3 03:31 SDF
JUDGE PRO TEM HOLLY JOHNSON PRESIDING FOR LKJ
PA WAIVES PRESENCE
DEF NOT PRESENT
COURT RULING: WARRANT REMAINS

03/02/2012 FILED: ANSWER TO COMPLAINT AND MOTION TO DISMISS AND VACATE KXL
ANY AND OR ORDERS
MOTION TO DISMISS REFERRED TO JUDGE GARROW FOR REVIEW

03/05/2012 COURT RULINGS PER JUDGE PRO-TEM JOHANNA BENDER: EDN
-NO ACTION ON DEF'S MOTION AS CASE IS IN WARRANT STATUS
-DEF WAS NOT NOTIFIED OF NEW BENCH WARRANT HEARING, RESET AND
SEND NOTICE

Docket continued on next page

DD7020SX JGW
07/31/2013 2:44 PMKING COUNTY DISTRICT COURT
D O C K E T

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DEFENDANT
HOLLAND, DWIGHT MICHAELCASE: 1Z0501814 WSP
Criminal Traffic
Agency No. RED

TEXT - Continued

S 03/05/2012 MOT BW Set for 03/12/2012 03:00 PM EDN
in Room RE4 with Judge DKT

U NOTICE TO ISSUE

S 03/06/2012 Notice Issued for MOT BW on 03/12/2012 03:00 PM MYM

U 03/12/2012 RE4 03:30 / LRH LRH
PRO TEM HOLLY JOHNSON FOR JUDGE (DKT)
DPA NOT PRESENT AT WARRANT WALK-IN CALENDARS
DEFENDANT NOT PRESENT
WARRANT STAYS OUTSTANDING

S MOT BW: Not Held, Wt/FTA Ordered SDF

U 06/04/2012 MOTION FOR ORDER TO SHOW CAUSE RE: VACATION OF JUDGMENT/ORDER CER
AND DELCARATIONS IN SUPPORT OF MOTION TO VACATE ALONG WITH
ORDER ON MOTION AND ORDER TO SHOW CAUSE FILED, SCANNED
TO REDMOND COURTHOUSE WORKFLOW.

06/06/2012 FILED: MOTION AND ORDER TO SHOW CAUSE RE: VACATION OF KXL
JUDGMENT/ORDER

06/07/2012 MOTION AND ORDER TO SHOW CAUSE REFERRED TO JUDGE JACKE

06/11/2012 DEFENDANT AT FRONT COUNTER TO SIGN UP FOR WARRANT WALK IN CZL
CALENDAR
DEFENDANT'S ADDRESS VERIFIED FROM WARRANT WALK IN
APPLICATION

S MOT BW Set for 06/11/2012 03:00 PM

U in Room RE2 with Judge FVL

U DEFENDANT PROVIDED COPY OF DOCKET SCREEN TO NOTIFY OF HEARING
TIME/LOCATION

S MOT BW on 06/11/2012 03:00 PM

Changed to Room RE2 with Judge MJF

MOT BW: Held RXP

U RE2 03:34 RXP
JUDGE PRO TEM KETU SHAH PRESIDING FOR JUDGE LA SALATA
DPA'S PRESENCE WAIVED AT WARRANT WALK IN CALENDAR
DEFENDANT PRESENT PRO SE
COURT REVIEWS FTA HISTORY
03:38 - DEF'S STATEMENT REGARDING MISSED HEARING
COURT RECALLS WARRANT
RECALL FAXED TO KING COUNTY PD, CONFIRMATION RECEIVED
COPY OF RECALL CONFIRMATION & HEARING NOTICE TO DEF IN PERSON

S Warrant Recalled

ARR N Set for 06/25/2012 08:45 AM

in Room RE3 with Judge LKJ

U 06/12/2012 PER JUDGE JACKE RE: MOTION AND ORDER TO SHOW CAUSE - NO KXL
ACTION TAKEN

S 06/13/2012 Warrant Returned KKK

U 06/21/2012 NOTICE OF SPECIAL APPEARANCE AND DEF'S AFFIDAVIT FILED CMS

S 06/25/2012 ARR N: Held ALD

U RE3 9:36 ALD
JUDGE LINDA K JACKE
DPA STEPHEN THOMAS PRESENT
DEFENDANT PRESENT PRO SE

Docket continued on next page

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07/31/2013 2:44 PMKING COUNTY DISTRICT COURT
D O C K E T

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DEFENDANT
HOLLAND, DWIGHT MICHAELCASE: 1Z0501814 WSP
Criminal Traffic
Agency No. RED

TEXT - Continued

U 06/25/2012 DEFENDANT TO PROCEED WITHOUT ATTY ALD
CASE PASS FOR DEFENDANT TO REVIEW WAIVER OF RIGHT TO LAWYER
9:55 CONTINUE
COURT NOTES DISADVANTAGES TO PROCEEDING WITHOUT COUNSEL
COURT REVIEW WAIVER OF RIGHT TO ATY
S Defendant waived counsel on 06/25/2012
U DEFENDANT ADVISED OF RIGHTS.
DEFENDANT ENTERS A PLEA OF NOT GUILTY
COURT MAKES A FINDING OF PROBABLE CAUSE
CONDITIONS OF RELEASE/COURT DATE TO DEFENDANT IN PERSON
S Defendant Arraigned on Charge 1
Plea/Response of Not Guilty Entered on Charge 1
U PLAINTIFF RESPONSE TO REQUEST FOR DISCOVERY AND PLAINTIFF'S ECR
REQUEST FOR DISCOVERY FILED (DCORAUTO)
WAIVER OF RIGHT TO LAWYER FILED (DCORAUTO)
S 06/28/2012 PTR N Set for 08/02/2012 08:45 AM ALD
in Room RE3 with Judge LKJ
U 07/30/2012 FILED-DEFENDANT'S NOTICE OF SPECIAL APPEARANCE KLK
07/31/2012 MOTION TO DISMISS LACK OF JURIS. FILED BY DEF CMS
S 08/02/2012 PTR N: Held SDF
U RE3 09:37 SDF
JUDGE LINDA K JACKIE PRESIDING
STATE PRESENT REPRESENTED BY JACOB BROWN
DEF PRESENT PRO SE
DEF PREVIOUSLY WAIVED AN ATTY
DEF REQUESTS OCTOBER DATE
PRETRIAL ORDER SIGNED
COPIES GIVEN TO ALL PARTIES IN PERSON
FILED: WAIVER OF TIME FOR TRIAL THROUGH 12/20/12
08/03/2012 MOTION, CERTIFICATION AND ORDER OF DISMISSAL FILED BY DPA CAD
MOTION/ORDER REFERRED TO JUDGE JACKIE
JUDGE JACKIE SIGNS ORDER OF DISMISSAL
S Charge 1 Dismissed : State's Mtn-Othr
Case Heard Before Judge JACKIE, LINDA K
Case Disposition of CL Entered
U COPY OF ORDER MAILED TO DEFENDANT AND FORWARDED TO STATE
09/21/2012 SUBPOENA LOG FILED (DCORAUTO) ECR

ADDITIONAL CASE DATA

Case Disposition

Disposition: Closed

Date: 08/03/2012

Personal Description

Sex: M Race: B DOB: [REDACTED]
Dr.Lic.No.: [REDACTED] State: WA Expires: 2014
Employer: FEDERAL EXP
Height: 5 10 Weight: 222 Eyes: BRO Hair: BLK

Hearing Summary

Held BENCH WARRANT MOTION ON 06/11/2012 AT 03:00 PM IN ROOM RE2 WITH MJF

Docket continued on next page

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07/31/2013 2:44 PM

KING COUNTY DISTRICT COURT
D O C K E T

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DEFENDANT
HOLLAND, DWIGHT MICHAEL

CASE: 1Z0501814 WSP
Criminal Traffic
Agency No. RED

ADDITIONAL CASE DATA - Continued

Hearing Summary

Held	ARRAIGNMENT	ON 06/25/2012 AT 08:45 AM IN ROOM RE3 WITH LKJ
Held	PRETRIAL HEARING	ON 08/02/2012 AT 08:45 AM IN ROOM RE3 WITH LKJ

End of docket report for this case

Exhibit 5

Declaration of Kanner

**KING COUNTY DISTRICT COURT
EAST DIVISION - REDMOND COURTHOUSE**

STATE OF WASHINGTON,

No.: 120501814

vs.

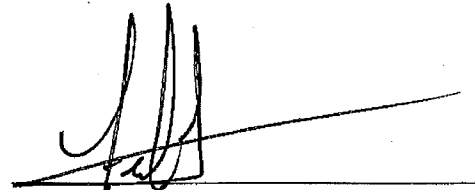
FINDING OF PROBABLE CAUSE

**HOLLAND, DWIGHT MICHAEL
Defendant**

After a careful review of the files and records herein including the statement of probable cause executed by the citing law enforcement officer along with any report submitted by that officer and any accompanying documentation to that report.

THE COURT HEREBY FINDS THAT PROBABLE CAUSE EXISTS that on 9/16/2011 the crime of DUI may have been committed.

Dated: January 9, 2012



Frank V. LaSalata, Judge